

**Attention Senior Clubs and County Council on Aging!**

Please complete the following information if your senior citizen club or county council on aging has recently elected new officers. The information should be sent to: Regional Aging Service Program Administrator, Northeast Human Service Center, 151 S. 4<sup>th</sup> Street, Suite 401, Grand Forks, ND 58201.

**NAME AND ADDRESS OF SENIOR ORGANIZATION:**

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**NAME AND ADDRESS OF NEW PRESIDENT:**

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**TELEPHONE NUMBER OF PRESIDENT:**

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*PLEASE SHARE THIS NEWSLETTER WITH YOUR MEMBERS!!!*

# NORTH DAKOTA AGING and DISABILITY Resource-LINK

*Your Care Choice Connection to Aging and Disability Resources*

**1-800-451-8693**

**[www.carechoice.nd.gov](http://www.carechoice.nd.gov)**

Regional Aging Service Program Administrator  
Northeast Human Service Center – Aging Services  
151 S. 4<sup>th</sup> Street, Suite 401  
Grand Forks, North Dakota 58201  
(701) 795-3000 Toll Free: 1-888-256-6742  
Fax (701) 795-3050

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# AGING SERVICES

Volume XI Number 1

Region IV Serving Grand Forks, Nelson, Pembina & Walsh Counties

Winter 2009

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### Aging Services Newsletter

Please share this newsletter with a friend, coworkers, at your senior center, post on a bulletin board, etc....If you wish not to be on the mailing list for the newsletter please call 795-3000 and ask for Patricia Soli. You are welcome to submit any news you may have regarding services and activities that are of interest to seniors in this region. Northeast Human Service Center makes available all services and assistance without regard to race, color, national origin, religion, age, sex or handicap and is subject to Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975 as amended.

### Northeast Human Service

Center is an equal opportunity employer. This publication can be made available in alternate formats.



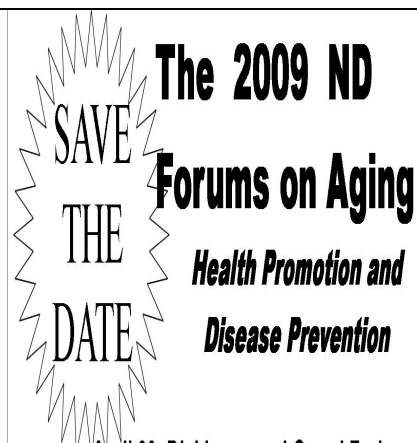
## MISSION STATEMENT:

In a leadership role, Aging Services will actively advocate for individual life choices and develop quality services in response to the needs of vulnerable adults, persons with physical disabilities, and an aging society in North Dakota.



We at the Community Violence Intervention Center (CVIC) are very excited to announce that we have been awarded a three-year federal grant to initiate a collaborative project to ensure elderly people who are being abused receive the services they desperately need. Elder individuals are among the most vulnerable victims of abuse, facing many obstacles to reporting the abuse, often falling through the cracks with no one to provide them with safety, support or resources.

This three-year federal grant will enable us to proactively address violence against the elderly population, expected to increase by over 50% between 2005 and 2020. The grant will enable us to train professionals on responding to elder abuse, provide outreach and services to elderly victims, and send project partners to intensive national trainings on elder abuse. In addition, the grant provides some funds for collaborating agencies to participate in the project, including the local police, sheriff and regional human service center.



April 20, Dickinson and Grand Forks

April 21, New Town and Williston

April 22, Ellendale and Lisbon

April 23, Bismarck

April 24, Rugby

## Keynote Presentations

Dr. James H. Swan

Professor, University of North Texas, Department of Applied Gerontology

Susan Raymond

Aging Program Specialist, Region 8 Administration on Aging

AARP

"Healthy Lifestyles"

Watch for more information in your local newspaper and your mail!

Sponsored by:

The ND Governor's Committee on Aging in cooperation with the ND Department of Human Services, Aging Services Division



**Prescription Assistance Program**  
808 3<sup>rd</sup> Ave S, Suite 207  
Fargo, North Dakota 58103  
Phone: (701) 364-0398  
Fax: (701) 364-5367  
Email:  
[papfargo@southcentralseniors.org](mailto:papfargo@southcentralseniors.org)

## **2009-2011 Budget Highlights from Governor Hoven**

### **Taking Care of People**

#### **Home and Community**

**Based Care:** Includes an increase of more than \$17 million for Home and community Based Care Programs to help North Dakota's elderly and people with disabilities maintain their independence. Establishes a new Aged and Disabled Resource Center to service as a single point of entry for long-term care services. The budget also includes funding for additional managed care services, increased funding for Medicaid personal care, expanded meal delivery, and non-medical transportation.

#### **Long Term Care and Other Healthcare Providers:**

Dedicates \$40 million to rebase Medicaid reimbursement rates for hospitals, doctors, dentists, chiropractors, and ambulance services. For nursing homes and other long term care

providers, as well as providers serving the developmentally disabled, the budget includes a provider increase of 7 percent for each year of the new biennium to help address rising costs, recruit and retain providers, and maintain their outstanding quality of care.

<http://governor.nd.gov/media/new-s-releases/2008/12/081203.html>

### **Commerce's NTIA Awards \$2.7 Million to National Association of Area Agencies on Aging to Help Seniors Transition to Digital TV**

**WASHINGTON**—The Commerce Department's National Telecommunications and Information Administration (NTIA) announced today an award of \$2.7 million to the National Association of Area Agencies on Aging (n4a) to help seniors transition to digital television through the TV Converter Box Coupon Program. Full-power TV broadcasters switch from analog to 100 percent digital broadcasts after February 17, 2009.

"Vulnerable consumers will be helped with the technical assistance that n4a will provide," said Meredith Baker, acting NTIA administrator. "They have the right mix of capacity, skills and experience—as well as trust and standing among seniors—to lead this effort to help older adults transition to digital television." The association will assist seniors with completing a coupon

application, obtaining a converter box and connecting the device to a television in the home now to the end of April. They are partnering with credible and effective organizations, together forming the Keeping Seniors Connected (KSC) Coalition. These include the Meals on Wheels Association of America, the National Association for Hispanic Elderly, the National Asian Pacific Center on Aging and the National Caucus and Center on Black Aged. The association recently served as the lead national organization on a \$5 million contract, successfully coordinating assistance in promoting Medicare Part D enrollment.

"With extensive outreach in communities across the country, the Keeping Seniors Connected organizations will reinforce the efforts of the NTIA and their contractors by directly disseminating customized, targeted information about the transition to these vulnerable populations," said Sandy Markwood, CEO of the National Association of Area Agencies on Aging. "Most importantly, n4a will then offer seniors the direct, one-on-one assistance that most will need in order to make a smooth transition to DTV."

NTIA is working with more than 300 federal and private organizations to ensure a smooth digital TV transition for America's seniors and other households. Also, NTIA's consumer education

effort, including the “apply, buy and try” campaign to urge consumers to request coupons before the end of the year, is proving effective. To date, more than 18 million households have requested more than 35 million coupons, and more than 14 million coupons have been redeemed.

### **Background**

The Digital Television Transition and Public Safety Act of 2005 requires full-power television stations to cease analog broadcasts and switch to digital after February 17, 2009. The Act authorizes NTIA to create the TV Converter Box Coupon Program, which is funded by the \$19 billion airwaves auction and not tax dollars.

Digital broadcast television offers consumers a clearer picture, more programming choices and will free up the airwaves for better communications among emergency first responders and new telecommunications services.

Consumers receiving free, over-the-air television on analog televisions will need to act to ensure their televisions continue to work when full power television stations go all-digital. Viewers of over-the-air television need to look at each analog set in their home that is not connected to cable, satellite or other pay television service and make a timely decision. They can connect their television to cable, satellite or pay television

service; they can replace it with a digital TV; or they may keep it working with a TV converter box.

For consumers choosing the converter box option, the TV Converter Box Coupon Program permits all households to request up to two coupons - each worth \$40 - toward the purchase of certified converter boxes. Coupons may be requested until March 31, 2009, or while supplies last. Consumers can purchase a converter box at one of the more than 35,000 participating local, phone or online retailers. Coupon applications can take several weeks to process and mail so consumers opting to purchase a converter box should act now, and should call stores before shopping to ensure the desired converter box is available. Converter boxes generally cost between \$45 and \$80 and coupons expire 90 days from the date they are mailed.

Some viewers watch programs over translators or other low-power stations which may continue broadcasting analog signals after February 17, 2009. Those viewers may wish to select a converter box that will pass through analog signals.

Households may apply now for coupons online at [www.DTV2009.gov](http://www.DTV2009.gov), by phone at 1-888-DTV-2009 (1-888-388-2009), via fax at 1-877-DTV-4ME2 (1-877-388-4632) or by mail to P.O. Box 2000, Portland, OR 97208-2000.

Deaf or hard of hearing callers may dial 1-877-530-2634 (English TTY) or 1-866-495-1161 (Spanish TTY). Nursing home residents may apply with the paper application available downloadable at [www.DTV2009.gov](http://www.DTV2009.gov).

Consumers will receive a list of eligible converter boxes and participating retailers with their coupons. Coupons expire 90 days after they are mailed, and only one coupon can be used to purchase each coupon-eligible converter box.

For more information about the Coupon Program, please visit [www.DTV2009.gov](http://www.DTV2009.gov) and for questions about the DTV transition, go to [www.dtv.gov](http://www.dtv.gov) or call 1-888-CALL-FCC.

NTIA is responsible for the development of the domestic and international telecommunications policy of the Executive Branch.

### **Nutrition Sites Call the Grand Forks Senior Center**

**for more information at  
701-772-7245**

**Grand Forks & Nelson  
counties.**

**<http://gfseniorcenter.org>**



**Walsh County Nutrition  
Program, Walsh County  
701-284-7999.**

**Pembina County Meals &  
Transportation,  
Pembina County**



## Winter Driving to Live By Ice and snow can lead to treacherous roadways.

Here are 10 tips on how you can  
survive a winter wonderland.

By [Charles Plueddeman](#) of MSN autos

“Hey, it’s treacherous out there!”

It was my friend Grace, calling to tell me that she could not take her turn car-pooling the kids to school this morning. Looking out the window, I noted an inch or two of fresh snow on the ground, not an uncommon sight during December in Wisconsin — and certainly nothing dramatic for the rest of the neighborhood. But Grace would rather walk two miles to work than get behind the wheel this morning. In fact, Grace is so nervous about winter driving that she may be walking until April. At least Grace won’t be joining the overconfident SUV drivers, phoning for a tow from the highway median, where they have landed after exceeding both the available traction and their own driving skills. Somewhere between white-knuckle anxiety and four-wheel-drive hubris is the sweet spot of winter driving prowess, the ability to navigate through ice and snow safely and with confidence.

Teaching people to drive in this “winter zone” is the specialty of the **Bridgestone Winter Driving School**. Located in the ski-resort town of Steamboat Springs, Colo., and opening for its 26th season this winter, the school uses three ice-covered tracks lined with soft

snowbanks to teach everyday drivers — and professionals such as government agents, stunt drivers, test engineers and racers — to maintain control in challenging conditions.

“Too many people think that quick reactions are required for winter driving,” said school director Mark Cox. “But it’s better to avoid becoming involved in a situation that requires some dramatic correction.” Cox offers four key tips that anyone can use to become a safe and confident winter driver:

### 1. Scan the Road Ahead

“If you have to react to road conditions, you’ve already made a mistake,” said Cox. Scanning the road ahead is good advice in any season. But in winter, this habit becomes imperative because it allows you to anticipate trouble and put your vehicle in position to handle the situation without drama. If cars ahead are braking or seem to be swerving, there could be ice on the road, a slick intersection or deer waiting on the shoulder. Snow blowing over the road in the distance could indicate drifting conditions. Consider a challenge posed by changing terrain, such as a steep hill or curves.

“In almost every instance, your best reaction is to start to slow down,” said Cox. “Stopping distances can be increased by four to ten times when ice or snow is on the road. By anticipating, you can slow gradually and under control.”

### 2. Don’t Rely Too Heavily on Technology

The perception of control afforded by safety technologies such as all-wheel drive and traction/stability control can often get drivers into even more trouble. “All-wheel drive helps you go,” said Cox, “but it does nothing to improve the braking ability of the vehicle on a slick surface. Unfortunately, too many drivers feel invincible once they experience that all-wheel-drive traction pulling them away from a stop and think that translates to everything the car is doing.”

It’s traction that enables a vehicle to go, stop and steer, and by spreading engine power to all four wheels an all-wheel-drive system can improve traction performance on acceleration. But when it’s time to slow down, much of the all-wheel-drive advantage disappears. And because the all-wheel-drive system usually adds weight to an SUV or car, it can actually make it harder to stop. “There’s more mass to the all-wheel-drive vehicle, which can sometimes make it harder to control, especially when its limits have been exceeded” said Cox. “Once all that weight is going sideways, it can be very difficult to correct.”

This feeling of false confidence also holds true for electronic safety technologies such as traction control and stability control. Both can help correct driver errors, but if a vehicle is simply traveling too fast for conditions, it’s going to end up in trouble. Capable as they may be,

these technologies do not repeal the laws of physics.

### **3. Follow the Rule of 1-2-3**

Driving on a slick road is like trying to play basketball on a hockey rink. Because your traction is compromised, it's impossible to make the sudden starts, stops and changes of direction you can accomplish with ease on a dry court. If you were trying to run on a rink, you'd need to accelerate slowly, allow more time to slow down and probably come almost to a stop before you could move to the side. Use this mind-set for winter driving and you'll avoid a lot of trouble. At his school, Cox teaches a driving technique designed to make the most of limited traction. "Most of us own a front-wheel-drive car, which means that our two front wheels are doing most of braking, all of the accelerating and all of the steering," said Cox. "So when roads are slick, you want to use all of the available front-wheel traction for one task at a time. When you need to make a turn, count to three. First, brake to an appropriate speed. Then release the brakes and steer through the turn. And finally, accelerate only after you have completed the turn."

### **4. Betrayed by Tired Tires**

A generation ago, every driver in the Snowbelt had a set of deep-lugged snow tires mounted right after Thanksgiving. In the age of huge, rear-wheel-drive American sedans and station wagons, you needed

that traction to get through the winter. With the advent in the 1980s of front-wheel drive and radial tires, snow tires went out of fashion. Cox says we need to get that traction back. "You must drive within the limits of your equipment," he said. "And if you are driving in the winter on a set of worn all-season tires, your traction is really compromised. It's like trying to get through winter with tennis shoes on your feet." Winter-rated tires, which can be identified by a mountain/snowflake symbol molded on the sidewall, have a specific tread design, tread depth and pliable rubber compound designed to excel on snow and cold surfaces. According to Cox, a winter-rated tire can offer 33 percent more traction than a tire with a "mud and snow" rating. Many high-performance cars come with summer-only tires that provide tremendous grip on hot, dry pavement, but should be replaced for winter driving. If you live in a place like Steamboat Springs, investing in a set of winter tires — and you should buy four to balance the traction at each wheel — is an easy decision to make. Drivers living on the fringes of the Snowbelt may be fine on a good set of "all-season" mud- and snow-rated tires. But if you live in between, are winter-rated tires a worthwhile investment? "I like to point out that the cost of a set of winter tires is almost always cheaper than your insurance deductible," said Cox. "Take them off in the spring, and most drivers

can get two or three seasons from a set of winter tires. And of course you are not wearing out your summer tires as quickly, either."

### **More Quick Tips**

- Install winter wiper blades, which have a rubber cover over the steel bow that won't freeze up or clog with ice.
- Use the windshield squeegee to clean off your headlights when you stop for gas. Dried salt residue on the headlight lenses can cut the light output significantly.
- Have your battery tested to make sure it's delivering full performance. The cold-weather starting power of a battery that's three or four years old can be greatly diminished.
- Windows fogging? Turn on your air conditioning along with the defroster — the AC will carry moisture out of the cabin. Make sure your ventilation system is set to the "fresh air" setting so that damp air is exhausted from the car, not just recirculated. Brush snow off your clothes and kick slush off your boots before you get into the car — melting snow adds humidity to the air, which fogs the windows.
- Brush all the snow off your car before you drive. Snow left on the hood can obscure your vision, blow onto the windshield and foul the wipers, and sift into the ventilation vents in the cowl

and fog up the windshield. Snow blowing off the roof may distract other drivers, or cover your back window and rear lights. Scrape snow and frost off all windows and mirrors so you have full visibility.

- Carry basic winter-driving tools: a scraper and brush, a small shovel, jumper cables, a flashlight and a tow strap. If you travel in remote or rural areas, pack along a sleeping bag and some nonperishable food and water. Some magazines or a book can help you pass the time—and avoid getting frustrated—while you wait for help if you become stuck or stranded in traffic.

*Veteran moto-journalist and Wisconsin-native Charles Plueddeman has been driving, riding and testing automobiles, motorcycles, boats, ATVs and snowmobiles for more than 20 years. He is a regular contributor to Boating Magazine and Outdoor Life, and his product evaluation articles have appeared in Popular Mechanics, Men's Journal, AutoWorld, Playboy, Boats.com and many other national publications and Web sites.*

## Foster Grandparents

Sharing a  
**LIFETIME**  
of Wisdom



Check out the new web page:  
[http://www.seniorservice.org/redrivervalley\\_fgp](http://www.seniorservice.org/redrivervalley_fgp)  
**Red River Valley Foster Grandparent Program**  
**(701) 795-3112 or 888-256-6742**

**Minnesota-North Dakota,** information, education, friendship and support. To learn more about a support group near you, call the Information 24/7 Information Helpline at 1.800.232.0851 or visit <http://www.alzmdak.org/2familyservices/findresources.htm> - Support%20Groups.

## North Dakota RENT REFUNDS You May Be Eligible!

Information provided by:  
Central Intake Office, LSND

What are eligibility requirements for rent refunds? You may be eligible to receive a rent refund:

- If you are 65 years old, or totally and permanently disabled. For a husband and wife who are living together, only one can apply for the refund. Only the spouse applying for the refund needs to be 65 years of age.
- If 20% of your annual rent exceeds 4% of your household income.
- If you're household income does not exceed \$17,500 for the year for which the refund is claimed.

If you are determined to be eligible:

- You will receive a refund for the overpayment of rent.
- A refund can not exceed \$240.

How do I determine rent costs?

- Heat, lights, telephone or furniture costs cannot be considered as part of your rent costs.
- If your landlord pays for these items, you must deduct this cost from your rent when you apply for a refund.
- If you pay for your utilities and furniture your self, you can not add the cost of these items to your rent when you apply for the refund.

- You are not eligible for a refund if you pay rent for any living quarters, including nursing homes, that are exempt from property taxation.

How do I apply for rent refunds?

- If you believe you are eligible for a rent refund you can call the State Tax Commissioner's Office for an application.
- Contact Legal Services of North Dakota at 1-800-634-5263
- The application must be filed with the State Tax Commissioner by June 1 following the year for which the refund is claimed.

Who do I contact for additional information?

- For additional information on rent refunds please call your local city assessor's office.

To complete an application for rent refund you will need the following:

- Your total income form W-2's or 1099-SSA.
- Your total rent paid for the prior year.
- Out of pocket medical expenses of all types, for example: Insurance premiums, prescription costs, co-pays, etc.
- Travel expenses associated with medical care, either out of pocket costs or miles driven.

## There's no place like home!

Why not consider being an  
Adult Foster Care Provider?



• **You** can provide a safe, caring environment for adults age 18 and older with special needs

• **You** can support their ability to live independently

• **You** can receive monthly payments for room, board and care

Help these adults remain a vital part of our community.



Contact Grand Forks  
County Social Services Today!  
701-787-8540

Recruitment Campaign Funded by United Way of GREGF

## Taking Care of Yourself - Boost Your morale



*Consider posting a bulletin board with pictures of family and friends where you spend time. Update the pictures whenever possible*

*The Comfort of Home*

© 2004 CareTrust Publication 800/565-1533  
www.comforttohome.com

Region IV Aging Services Page 7

## Legal Services of North Dakota

On January 1, 2004 Legal Assistance of ND (LAND) and North Dakota Legal Services (NDLS) consolidated to form one statewide legal services program, known as Legal Services of North Dakota (LSND). They currently utilize a central intake component to take and process all applications for legal services.

- All individuals 59 years of age and younger are to contact Toll-free 1-800-634-5263 from 9:00 am to 3:00 pm, Monday through Thursday.
- All individuals 60 years of age and older may also contact them through their Senior Legal Hotline, Toll-free at 1-866-621-9886 from 8:00 am to 5:00 pm, Monday through Friday.
- Applications may also apply on the Internet at [www.legalassist.org](http://www.legalassist.org).

### Region IV Outreach:

Grand Forks at the Red River Community Action from 11:00 am – 2:30 pm, the 1<sup>st</sup> and 3<sup>rd</sup> Thursday, of the month.

General Centralized Intake Toll Free Number - 1-800-634-5263

Seniors (60 and over) Intake Toll Free Number - 1-866-621-9886

This number should be used by persons wanting help from LSND. All initial screening and advice is provided through these toll free numbers.

<http://www.legalassist.org/>

## Vulnerable Adult Protective Services

January 2008

### Background:

*In 1989, the North Dakota Legislature passed the law authorizing the Department of Human Services to develop, administer, and implement a protective services program for vulnerable adults. The program works to prevent further abuse, neglect, or exploitation and promotes self-care and independence.*

*Each regional human service center has an Elder Services Unit that is responsible for vulnerable adult protective services, as well as other services.*

### State Law Defines a Vulnerable Adult as:

**... any person older than age 18, or emancipated by marriage who has a substantial mental or functional impairment**

ND Century Code 50-25.2-03 states that any person who reasonably believes that a vulnerable adult has been subjected to abuse or neglect or observes conditions or circumstances that reasonably would result in abuse or neglect, may report the information to the N.D. Department of Human Services or to an appropriate law enforcement agency.

**The law gives the Department the right to assess and to provide or arrange the provision of adult protective**

**services if the vulnerable adult consents to and accepts the services. The Department may pursue administrative, legal, or other remedies authorized by law, which are necessary and appropriate under the circumstances to protect a vulnerable adult who cannot give consent, and to prevent further abuse or neglect.**

### Did You Know?

**Adult children, other relatives, church communities, and other informal support systems help meet the needs of many people. Individuals who receive vulnerable adult protective services often lack these informal supports.**

### Vulnerable Adult Services Statistics:

Oct. 2006 – Sept. 2007

444	New cases
392	Information and referral calls
223	Brief services (Required up to 2 hours of staff time to resolve. For example, helping a family locate needed services.)
404	Cases closed
7,008	Hours spent on information and referral, brief services, and cases

### NOTES:

*A clarification in reporting occurred. Case data should not be compared to data prior to the 2003-2004 federal fiscal year. Also, a new case does not mean a person has not been served before. Recidivism is common. Abilities change over time, and concerns about neglect or abuse may resurface.*

### Referral Reasons

66%	Self-neglect
16%	Neglect
10%	Financial exploitation
8%	Abuse

### Referral Sources

28%	Medical/Home Health
27%	Agency
18%	Community



17%	Family
5%	Legal/Judicial
4%	Self

#### Priority of Request

79%	Non-emergency
12%	Imminent danger
9%	Emergency

### **Vulnerable Adult Protective Services Demographic Data Oct. 2006 – Sept. 2007**

#### General

74%	Age 60 and older
53%	Female
95%	Caucasian
4%	American Indian/Native Alaskan

#### Marital Status

62%	Single/Widow/Widower
18%	Married
18%	Divorced
2%	Separated

#### Living Arrangements

62%	Live alone
19%	Live with other family member
12%	Live with spouse
7%	Live with non-relatives

#### Alzheimer's & Related Dementia

70%	Did not have dementia
30%	Do have some sort of dementia

#### Reasons for Case Closure:

16%	Referred to another agency
18%	Moved out of the area, received protective arrangements, or died
16%	Client refused services
13%	Placed in long-term care facility
9%	Referred to home & community-based services
28%	Other

### **Adult Protection in Practice:**

- A **vulnerable adult has the right** to make decisions on his or her own behalf until he or she delegates responsibility voluntarily to another, or the court grants responsibility to another.
- **When interests compete**, a competent individual's decision supersedes community concerns about safety, landlord concerns about property, or family concerns about health or finances.
- **A person can choose** to live "in harm" or even self-destructively, if she or he is competent to choose, does not harm others, and commits no crimes.

### **How Calls Are Handled:**

*When a Regional Human Service Center receives a call about suspected abuse or neglect of a vulnerable adult, staff members:*

- **Assess the situation** via phone to determine if an emergency exists.
- **Work with law enforcement** providing information and referral, **staff may conduct a site visit** to assess the situation and assure appropriate services are offered.
- **May offer services** to the vulnerable person such as home-delivered meals, personal care assistance, respite care, or other services, if appropriate.
- **, if appropriate.**
- If it is not an emergency, but requires more than

## **Guardianship Program FACTS**

### **General Overview**

- Guardianship is a court-appointed relationship that arranges for an individual (called a guardian) to make decisions for another person (called the ward).

- A guardianship may be needed when the ward's decision making threatens his or her well-being, or the ward is at risk of emotional or financial danger or physical injury or illness.
- A guardian is required to act in and represent the best interests of a ward, and to protect the ward and his or her rights.
- A guardian must ensure that services are provided in the most normal and least restrictive way possible and are tailored to meet the needs of the ward.
- Guardians are required to involve wards in all decisions to the fullest extent possible.

### **How is the guardianship process started?**

- Any person interested in the welfare of an allegedly incapacitated person may petition the court for the appointment of a guardian. After a petition is filed, the court sets a hearing date on the issues of incapacity, appoints an attorney to act as *guardian ad litem*, appoints a physician or clinical psychologist to examine the proposed ward, and appoints a *visitor* to interview the proposed guardian and proposed ward. At the hearing, the court hears evidence about the incapacitation of the proposed ward, and assesses alternative resource plans and the need for guardianship.

### **How do the courts determine if there is a need for guardianship?**

- The court reviews all documentation submitted and decides whether a guardianship is needed. The court appoints a guardian and grants specific powers of guardianship based on clear and convincing evidence that the proposed ward is incapacitated, and no other alternative resource is available to safeguard the proposed ward's health, safety, or basic well-being, and has determined that guardianship is necessary and the best means to provide care, supervision, and food, clothing, and/or shelter for the ward. The court strives to grant powers and duties to the guardian that are appropriate as the least restrictive form of intervention consistent with the ward's ability to care for himself or herself.

### **Can a guardianship be revoked?**

- The court may remove a guardian and appoint another if the ward or any person interested in the ward's welfare petitions the court. A guardian may petition the court to accept the guardian's resignation and make another order appropriate for the ward. Removal of the guardian can also be court ordered if a ward is no longer incapacitated, or if a guardian has not acted in the best interest of the ward. The court follows the same procedures used to petition for appointment of a guardian to safeguard the rights of the ward.

### Are there alternatives to guardianship?

- The court determines the least restrictive arrangement for the ward. Alternatives to guardianship exist.

### Alternatives to Guardianship:

#### N.D. Informed Healthcare

**Consent Law** – This law deals with persons authorized to provide informed consent for health care if an individual is unable to consent. A hospital or doctor is required to provide treatment in life and death situations even if informed consent cannot be obtained from an individual. North Dakota state law outlines the process for obtaining informed consent for health care for a person who is unable to provide informed consent or if informed consent is unable to be obtained from a person authorized to provide consent for the patient. *NDCC 23-12-13* lists in order of priority who may provide consent in such situations.

#### Health Care Directives –

Every competent adult has the right and responsibility to make decisions relating to his or her own health care, including the decision to have health care provided, withheld, or withdrawn. The individual retains control over his or her own health care during periods of incapacity through the implementation of the health care directives and the designation of an individual (health care agent) to make health care decisions on his or her behalf. It is essential that the individual completely trust the health care

agent and communicate his or her wishes clearly to the agent. (Refer to Advance Health Care Planning Resource Guide for North Dakota)

**Representative Payee** – This is a person or agency that is given the responsibility of managing Supplemental Security Income, Social Security Disability Income, veterans benefits, or other entitlements for an individual who is not able to adequately handle these funds. The payee takes charge of the funds and is responsible for ensuring they are spent on the care, treatment, and needs of the ward. A payee must keep records of transactions and expenditures and file regular reports. The appointment process involves some specific steps that are outlined by the respective funding source.

**Power of Attorney** – This gives designated party(ies) the authority to act on behalf of an individual if the need arises. Because this is not a court process, a power of attorney can be established easily and inexpensively. It can be revoked by the individual at any time. The assignment of the power of attorney assumes the person to be competent, but it has few safeguards and lacks accountability. (Concerns: No reporting requirements/no court oversight)

### Co-Signers on Bank

**Accounts** – This is an alternative to power of attorney or representative and protective payees. (Concerns: No safeguard or protection for the vulnerable person)

**Alternative Resource Plan** – This means a plan that provides an alternative to guardianship and uses available support services and arrangements that are acceptable to the alleged incapacitated person. The plan may include the use of service providers such as visiting nurses, homemakers, home health aides, personal care attendants, adult day care and multipurpose senior citizen centers; home and community-based care, county social services, and developmental

disability services; powers of attorney, representative and protective payees; and licensed congregate care facilities. (Questions of informed consent and vulnerability must be considered and addressed, which may involve capacity issues.)

*ND Department of Human Services*

#### **Aging Services Division**

1237 W Divide Avenue, Suite 6

Bismarck ND 58501

701-328-4933 / 1-800-451-8693

<http://www.nd.gov/dhs/services/adultsaging/>

### ND Legislative Update Long Term Care Interim Committee

A landmark piece of legislation was developed by the Long Term Care Interim Committee and will be presented to the North Dakota Assembly in 2009. This legislation includes: A dementia care services program in each Dept. of Human Services region of the state; Dementia Specialists providing information to law enforcement, medical professionals and the general public regarding the symptoms of dementia, the benefits of early detection and treatment, and the services available; Care consultation services for individuals and their caregivers to help them understand the disease process; Dementia needs assessment for individuals and their families including behavior management techniques, appropriate activities, preparation for the future, care options, and end-of-life treatment; Services provided to all individuals regardless of income. This legislation was unanimously passed by the Long Term Care Interim Committee due to concerns regarding the increasing age of the population of North Dakota, the demonstrated nationwide need for dementia specific services, and increasing evidence such services will enhance North Dakota families by providing:

- Improved disease management
- Increased caregiver satisfaction
- Decreased levels of depression

-Appropriate utilization of long term care facilities Dementia Care Services Legislation  
This legislation complements existing services currently provided by the state, county and healthcare system and will provide much needed assistance to the rapidly aging population, particularly in more rural areas of North Dakota.

### ***Another Resource:***

#### **ND Aging and Disability Resource Link**

- **1-800-451-8693**
- **[www.carechoice.nd.gov](http://www.carechoice.nd.gov)**

### **Region IV Health and Wellness Site Schedule**

Grand Forks County: Greater Grand Forks Senior Citizens Association,  
Grand Forks, ND @ 701-772-7245

**Gilby:** 3<sup>rd</sup> Thursday of every other month  
**Manvel:** 2<sup>nd</sup> Friday of every other month  
**Northwood:** 3<sup>rd</sup> Friday of every month  
**Thompson:** 2<sup>nd</sup> Monday of every other month

**Nelson County: Home Health Services of Nelson County Health System, McVile, ND, 701-322-4328**

Schedules announced regularly with services offered every other month, odd months.

**Pembina County: The Diabetes Center of Altru Clinic-Cavalier, Cavalier, ND, 701-265-8338**

**Cavalier:** 2<sup>nd</sup> Tuesday of every month  
**Drayton:** Last Monday of every month  
**Neché:** mornings, 2<sup>nd</sup> Monday of every month  
**Pembina:** afternoons, 2<sup>nd</sup> Monday of every month  
**St. Thomas:** mornings, 3<sup>rd</sup> Monday of every month  
**Walhalla:** 1<sup>st</sup> Monday of every month

**Walsh County: Home Health Hospice Services of Unity Medical Center, Grafton, ND, 701-352-9399**

**Grafton:** 3<sup>rd</sup> Tuesday of every month  
**Park River:** 4<sup>th</sup> Wednesday of every month

### **Telephone Numbers to Know**

#### **Regional Aging Services Program Administrators**

**Region I - Karen Quick  
1-800-231-7724**

**Region II - MariDon Sorum  
1-888-470-6968**

**Region III - Donna Olson  
1-888-607-8610**

**Region IV - Patricia Soli  
1-888-256-6742**

**Region V - Sandy Arends  
1-888-342-4900**

**Region VI – Carrie**

Thompson-Widmer  
**1-800-260-1310**  
**Region VII - Cherry Schmidt  
1-888-328-2662**

**Region VIII - Mark Jesser  
1-888-227-7525**

### **Vulnerable Adult Protective Services**

**Region I & II – Dale Goldade, Vulnerable Adult Protective Services, Long Term Care Ombudsman -  
1-888-470-6968**

**Region III – : Shirley Tandeski, Vulnerable Adult Protective Services, 1-888-607-8610**

**Region IV – Vulnerable Adult Protective Services, Patricia Soli – 1-888-256-6742.**

**Direct referral Grand Forks County Social Services VAPS - 701-797-8540.**

RaeAnn Johnson, contact for Vulnerable Adult Team (VAT) and Education– 1-888-256-6742.

Long Term Care Ombudsman  
**1-888-607-8610.**

**Region V - Vulnerable Adult Protective Services, Sandy Arends - 1-888-342-4900.**  
Direct referral may be made to Cass County Adult Protective Services unit -  
**701-241-5747.**

**Region VI - Russ Sunderland, Vulnerable Adult Protective Services - 701-253-6344.**

**Region VII - Cherry Schmidt, Vulnerable Adult Protective Services - 1-888-328-2662**

**Region VIII** - Mark Jesser,  
Vulnerable Adult Protective  
Services & Long Term Care  
Ombudsman -  
**1-888-227-7525**

### **ND Family Caregiver Coordinators**

**Region I** - Karen Quick -  
**1-800-231-7724**

**Region II** – Theresa Flagstad  
– **1-888-470-6968**

**Region III** - Kim Locker-  
Helten – **1-888-607-8610**

**Region IV** - Raeann Johnson  
– **1-888-256-6742**

**Region V** –Laura Fischer-  
**1-888-342-4900**

**Region VI**-CarrieThompson-  
Widmer –**1-800-260-1310**

**Region VII** - LeAnn Thomas–  
**1-888-328-2662**

**Region VIII** – Michelle  
Sletvold – **1-888-227-7525**

### **Other**

- AARP Pharmacy:  
**1-800-456-2277**
- ND Mental Health  
Association: **701-255-3692**
- ND Mental Health  
Association Help-Line: **1-  
800-472-2911**
- IPAT: **1-800-265-4728**
- Attorney General's Office  
of Consumer Protection:  
**701- 328-3404** or **1-800-  
472-2600**
- Social Security  
Administration:  
**1-800-772-1213**

- Medicare: **1-800-247-  
2267/ 1-800-MEDICARE**
- Senior Health Insurance  
Counseling (SHIC) ND  
Insurance Department:  
**1-701-328-2440**

### **Energy Assistance**

**For more information on  
energy assistance programs  
call:**

- Grand Forks County  
Social Services: (701)  
787-8500.
- Red River Valley  
Community Action: (701)  
746-5431.
- The Salvation Army:  
(701) 775-2597.
- St. Vincent de Paul:  
(701) 795-8614.

### **Local energy contacts:**

- Excel Energy:  
(800) 895-4999  
(residential customer  
service).
- NoDak Electric  
Cooperative:  
(701) 746-4461.

### **Aging and Mental Health Education Project**

**NDSU and ND Dept. of  
Human Services  
sponsored the project  
with the Division of  
Mental health and  
Substance Abuse.**

**The purpose of the Aging  
and Mental Health  
Education Project is to:**

- Educate mental health  
professionals, community,  
and family members about  
mental health issues in later  
life.
- Strengthen the support  
networks available to older  
adults.
- Enhance the capacity of  
others to recognize signs of  
mental health concerns.
- Dispel ageist attitudes and  
the stigma surrounding  
mental illness.

[www.ndsu.edu/ndsu/aging/](http://www.ndsu.edu/ndsu/aging/)

**North Dakota *2-1-1*  
Get Connected. Get  
Answers.**

**For 2-1-1 and the Mental  
health Association in North  
Dakota, each day is filled  
with callers seeking  
assistance with issues  
ranging from simplified  
access to information,  
referral and/or health and  
human service crisis  
management.**

**Operating a statewide, toll-  
free, 24-hour per day, 365  
days per year service to  
continue assisting teens,  
older adults or others,  
provides access to help.**

**North Dakota *2-1-1***

**Your partner in bringing  
information, referral and  
crisis intervention to all  
North Dakotans**